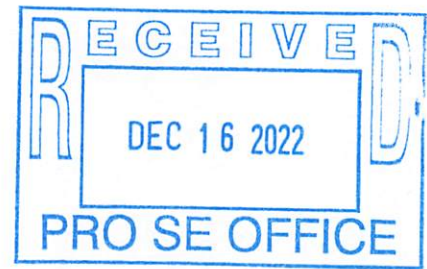


ORIGINAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
SHERRY PRICE



Plaintiff

Case No:1:22-cv-013131-DG-SJB

-against-

AFFIDAVIT

BASDEO RAMPERSAD, et al.,

Assigned Hon: Sanket j. Bulsara

Defendant
-----X

STATE OF NEW YORK)
) ss:
COUNTY OF QUEENS)

Basedo Ramoersad , being duly sworn, deposes and states the truth of the following under the penalty of perjury.

1. I am one the Defendants in the above-captioned action and I am making this Affidavit in support of our motion seeing the following relief:

- a. An Order to Quash the Subpoena pursuant to the Federal Rules of Civil Procedure Rule 45 dated November 4th, 2022 to TD Bank seeking to produce documents,. Information ,or objects or to permit inspection of premises;; and
- b. For such other and further relief as this Court deems just and proper.

MOTION TO QUASH

2. This case commenced on June 11th, 2022 when the Plaintiff filed a Complaint. On August 17th, 2022 the Defendant(s) submitted an Answer with Affirmative Defenses including lack of subject matter jurisdiction.. The Court issued an Order to Show Cause on September 12,2022 as to why the Plaintiff's complaint should not be dismissed for lack of

subject matter jurisdiction. Upon the Plaintiff's request, the Court granted her an extension of time to respond by October 17, 2022.

3. Before the Court issued any decision on the Order to Show Cause or whether the Plaintiff could file a motion to amend her complaint, the Plaintiff issued several subpoenas... These Subpoenas include one to me dated September 13, 2022 in care of my former attorney, another Subpoena dated October 5, 2022 to my former employer, RCN Corporation, another dated October 5, 2022.. I spoke to Pro Se clerk and I was informed that since the Plaintiff is not an attorney she did not have the authority to issue any subpoenas.

4 On November 4th, 2022 The Plaintiff issued another Subpoena to TD Bank requesting the production of documents, information, or objects. Annexed hereto as Exhibit "A" is a copy of the subpoena. Contrary to Fed. R. Civil P 45(a)(4) I was never served with a copy of this Subpoena. I only received notice about the subpoena from the bank. Once again, I was informed by the pro se clerk that the Plaintiff did not have the authority to issue this Subpoena.

5.. No prior application has been made for the relief sought herein.

WHEREFORE, it is respectfully requested that the Defendant's Order to Show Cause be granted in its entirety together with such other and further relief as this court deems just and proper.

Basdeo Rampersad

BASDEO RAMPERSAD

Sworn to before me this
15TH day of December, 2022

Robert G. Frank
NOTARY PUBLIC

ROBERT G. FRANK
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02FR4954784
Qualified in Queens County
Commission Expires Aug. 14, 2025

EXHIBIT A

UNITED STATES DISTRICT COURT

for the

EASTERN DISTRICT OF NEW YORK

SHERRY PRICE

Plaintiff

v.

BASDEO RAMPERSAD, et al.,

Defendant

Civil Action No. 1:22-cv-03131-DG-SJB

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To:

TD Bank

(Name of person to whom this subpoena is directed)

☒ **Production: YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: A list and description of all records, documents, information, and data see attachment.

Place: Sherry Price

243-10 138th Ave # 2F
Rosedale, NY 11422

Date and Time:

November 25, 2022 at 10 AM

☐ **Inspection of Premises: YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: NOV 04 2022 BRENNNA B. MAHONEY

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Sherry Price

, who issues or requests this subpoena, are:
243-10 138th Ave # 2F, Rosedale New York 11422; Sherry_Price@outlook.com; 718-809-0912.

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Case No. 1:22-cv-03131-DG-SJB

SHERRY PRICE,
Plaintiff,

v.

BASDEO RAMPERSAD et al.,
Defendants.

SUBPOENA REQUEST

The following items must be produced forthwith to:

Sherry Price
243-10 138th Ave # 2F
Rosedale, NY 11422
Phone: 718-809-0912
Email: Sherry_Price@outlook.com

RE: Basdeo Rampersad et al.

Any and all records, notes, electronic communications, including any electronic data transaction file reflecting, referring, and relating to all accounts held in the name of Basdeo Rampersad [REDACTED] and Rajdaye Babwah [REDACTED] individually or jointly with any person or entity, including but not limited to:

All accounts opening documents, including signature cards, and any changes made, including power of attorney, or adding or subtracting individuals from the account

Account closing documentation

Change of address for any and all accounts

Trusted contact form or names of persons permitted view only

Powers of attorney

Monthly statements for all accounts

Deposit tickets and offset items for all accounts

Withdrawals – slips and type for all accounts

Checks – back and front for all accounts

Bank checks – certified checks, cashier's checks; official checks or teller's checks for all accounts

Money orders

Wire transfers – in or out of all accounts – with detail showing origins and destinations, account numbers and financial institutions; any other ACH documentation

Debit card activity and location

Prepaid and debit cards

ATM withdrawals and location

Related credit card activity

Mortgage documents – including opening documents, periodic statements and subsequent amendments or changes of any kind; tax returns, payment history and method and financial statements of any kind, including documents from the title attorney

Loan documents – including opening documents, periodic statements and subsequent amendments or changes of any kind; tax returns; payment history and method; financial statements of any kind

Any and all teller notes and bank employee notes of any kind

Notary log, with transactions related to customer

Currency Transaction Reports

Tax statements: Forms 1099 and any other relevant form state or federal tax forms

Safe Deposit box records including opening documents, signature cards, access record logs and any closing documents

Any and all online banking information, including email or other addresses

PLEASE DO NOT DISCLOSE THE EXISTENCE OF THIS SUBPOENA AS IT
COULD HINDER AN ON-GOING CRIMINAL INVESTIGATION